IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 25TH AUGUST 2006 / 3RD BHADRA 1928

Bail Appl..No. 5227 of 2006

CRMP.1751/2006 of DISTRICT COURT, KOLLAM
CRIME NO. 167/2006 OF ERUMELI POLICE STATION

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PETITIONERS/ACCUSED:

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1. THEJUS JACOB, S/O.THOMAS CHACKO,
   MANGATTU HOUSE, VENKURINJI P.O., ERUMELI.

2. RAGHU, S/O. PRABHAKARAN,
   PANAMUKKATTU HOUSE, OLARI P.O., THRISSUR.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR (CRIME NO.167/06
OF ERUMELI POLICE STATION).

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5227/2006

DATED THIS THE 25TH DAY OF AUGUST, 2006

O R D E R

The petitioners are accused, in crime No.167/2006 of Erumeli police Station, under Sections 452, 341, 323, 294(b) and 326 IPC read with Section 34 IPC. It is alleged by the prosecution that, because of the previous enimity, the petitioners had trespassed into a tea shop, where the defacto complainant was sleeping, and caused injury on the left side of the tenth rib of the injured, by hitting with a soda bottle, causing fracture. The petitioners are before this Court, under Section 438 Cr.P.C.

2. I heard the submissions made by either side. In the above facts situation, I direct the petitioners to surrender before the Investigating Officer, who is investigating crime No. 167/2006 of Erumeli Police Station, on 1.9.2006, between 10.30 a.m and 11.00 a.m.

3. The Investigating Officer shall interrogate the

petitioners, and thereafter, produce them before the Court below, as per the law. The petitioners may move application(s) for bail, before that Court and the learned Magistrate shall consider the same and pass appropriate orders, on the date of production itself.

4. If any application is filed by the Investigating Officer, for the custodial interrogation of the petitioners, it may also be considered on the same day itself, by the learned Magistrate, on merit.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs